

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

<b>(1) SPECIAL ENERGY CORPORATION,</b>	)	
<b>an Oklahoma corporation,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>Case No. 13-CV-00767-GKF-FHM</b>
	)	
<b>v.</b>	)	<b>(Payne County District</b>
	)	<b>Court Case No. CJ-2013-516)</b>
<b>(1) THE HANOVER INSURANCE</b>	)	
<b>COMPANY, a foreign corporation,</b>	)	
	)	
<b>Defendant.</b>	)	

**DEFENDANT THE HANOVER INSURANCE COMPANY'S**  
**NOTICE OF REMOVAL**

**COMES NOW** Defendant, The Hanover Insurance Company, pursuant to 28 U.S.C. §§ 1441 and 1446, and files this notice of removal of the above-titled action from the District Court of Payne County, Oklahoma, to the United States District Court for the Northern District of Oklahoma.

**DEFENDANT'S STATEMENT OF GROUNDS FOR REMOVAL**

1. Plaintiff is a corporation organized under the laws of Oklahoma, with its principal place of business in Oklahoma.

2. Defendant is a corporation organized under the laws of New Hampshire, with its principal place of business in Massachusetts.

3. On November 21, 2013, Plaintiff filed its Second Amended Petition in state district court, Payne County, Oklahoma, asserting breach of contract, and seeking damages in excess of \$75,000.00, exclusive of interest and costs, which Second Amended

Petition was served on Defendant on November 22, 2013. This is the first pleading filed by Plaintiff that specifies that the amount in controversy exceeds the jurisdictional amount for diversity jurisdiction. (Exhibit # 1, Court Filings, Second Amended Petition, ¶¶ 3-11).

4. This Court has jurisdiction because of the complete diversity of citizenship of the parties hereto, and the sufficiency of the amount in controversy specified in the second amended petition, pursuant to 28 U.S.C. § 1332(a)(1).

5. In accordance with 28 U.S.C. § 1446(a) and LCvR 81.2, copies of all documents served on Defendant in the case to date, along with a copy of the Docket Sheet, are submitted with this Notice of Removal. (Exhibit # 1, Court Filings; Exhibit # 2, Docket Sheet; Exhibit # 3, Summons).

WHEREFORE, premises considered, Defendant The Hanover Insurance Company respectfully prays that this Notice of Removal be accepted by the Court, and that the lawsuit proceed as an action properly removed to this court's jurisdiction.

Respectfully submitted,

s/Phil R. Richards

Phil R. Richards, OBA #10457

Randy Lewin, OBA #16518

Lauren Chandler #20966

RICHARDS & CONNOR

12<sup>th</sup> Floor, ParkCentre Bldg.

525 S. Main Street

Tulsa, Oklahoma 74103

Telephone: 918/585.2394

Facsimile: 918/585.1449

ATTORNEYS FOR DEFENDANT THE  
HANOVER INSURANCE COMPANY

**CERTIFICATE OF SERVICE**

I hereby certify that on the 4<sup>th</sup> day of December, 2013, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing. Additionally, pursuant to 28 U.S.C. § 1446(d), true and correct copies of the Notice of Removal were mailed to:

Payne County Court Clerk  
606 S. Husband Street # 207  
Stillwater, Oklahoma 74074

P. Scott Hathaway  
Rebecca D. Stanglein  
CONNOR & WINTERS, LLP  
4000 One Williams Center  
Tulsa, Oklahoma 74172-0148  
ATTORNEY FOR PLAINTIFF

*s/Phil R. Richards*